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**Signed: April 18, 2011**

  
ALAN JAROSLOVSKY  
U.S. Bankruptcy Judge

5 Attorneys for Debtors

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10 UNITED STATES BANKRUPTCY COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 In re: Case No. 10-11995

13 Charles Denis Downie and Lydia Downie Chapter 13  
14 Debtor(s) /

15 ORDER GRANTING MOTION TO VALUE LIEN AS \$0

16 AND AVOID LIEN UPON DISCHARGE OF DEBTOR

17 On September 17, 2010 Debtor filed a motion to value and avoid the junior lien of  
18 California Department of Veterans Affairs (hereinafter Lienholder) against the property  
19 commonly known as 10133 Fairway Dr, Kelseyville, CA 95451, Lake County AP #043-573-22,  
20 which lien secures an Improvement Advance Contract No. 970512 which was made between  
debtor and Junior Lienholder debtor on October 15, 2007 and was filed as claim # 4 in this  
bankruptcy (hereinafter the Lien).

21 On November 29, 2011 Junior Lienholder filed document #36 withdrawing Junior  
22 Lienholder's opposition to Debtor's motion to value and avoid Junior Lienholder's Lien.  
23 Therefore he court hereby orders as follows:

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(1) For purposes of Debtor's chapter 13 plan only, the Junior Lien of California Department of Veterans Affairs is valued at zero dollars (\$0), does not have a secured claim, and the Junior Lien may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

(2) This order shall become part of Debtor's confirmed chapter 13 plan.

(3) Upon entry of a discharge in Debtor's chapter 13 case, the Junior Lien shall be voided for all purposes, and upon application by Debtor, the court will enter an appropriate form of judgment voiding the Junior Lien.

(4) If Debtor's chapter 13 case is dismissed or converted to one under another chapter before Debtor obtains a discharge, this order shall cease to be effective and the Junior Lien shall be retained to the extent recognized by applicable non-bankruptcy law, and upon application by the lienholder, the court will enter an appropriate form of order restoring the Junior Lien.

(5) Except as provided by separate, subsequent order of this court, the Junior Lien may not be enforced so long as this order remains in effect.

\*\* END OF ORDER \*\*